



THE STATE OF SOUTH CAROLINA

In the South Carolina Court of Appeals

APPEAL FROM THE RICHLAND COUNTY
COURT OF COMMON PLEAS

TANYA GEE, CIRCUIT COURT JUDGE

Appellate Case No. 2015-002367

RECEIVED
MAR 17 2016
SC Court of Appeals

ORLANDO I. BROWN, PRO SE,.....Appellant.

v.

THE STATE OF SOUTH CAROLINA.....Respondent.

RESPONDENT'S MOTION FOR WITHDRAWAL OF COUNSEL

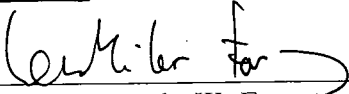
Pursuant to Rule 240 of the South Carolina Appellate Court Rules, The undersigned hereby moves and request that this Court grant the withdrawal of Richard E. Marsh, III (who has provided his consent below) as counsel of record for Defendant State of South Carolina. The reasons for this Motion are as follows:

Richard E. Marsh, III previously served as defense Counsel for Defendant State of South Carolina while he was employed by the firm of McKay, Cauthen, Settana & Stublely, P.A. At all times at least one additional attorney from the same law firm has also been listed as attorney of record for this defendant. Richard E. Marsh, III is no longer employed with the law firm of McKay, Cauthen, Settana & Stublely, P.A. However, attorney Daniel R. Settana, Jr. and Temus C. Miles, Jr.

of the same firm continue to serve as attorney of record for this Defendant in this matter.

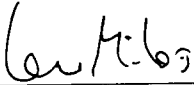
Accordingly, the undersigned, with the consent of Richard E. Marsh, III (as shown on exhibit 1), requests that Richard E. Marsh, III be removed from the Court docket as counsel for Defendant State of South Carolina and that Daniel R. Settana, Jr. and Temus C. Miles, Jr. remain as counsel for Defendant State of South Carolina.

I so consent to being removed as counsel for Defendant State of South Carolina:


Richard E. Marsh, III, Esq.

Columbia, South Carolina
March 17, 2016

Respectfully submitted,


Temus C. Miles, Jr.
McKay, Cauthen, Settana & Stublely, P.A.
Post Office Box 7217
Columbia, SC 29202
803-256-4645
Attorney for the Respondent

Columbia, South Carolina
March 17, 2016

Tem Miles

From: Richard Marsh [remarsh3@gmail.com]
Sent: Thursday, March 17, 2016 3:48 PM
To: Tem Miles
Subject: Re: Withdrawal as Counsel in the Brown Case (Appellate Case No. 2015-002367)

Tem,
I have reviewed the attached Motion for Withdrawal and consent to it. Please allow this email to confirm that you have authority to sign on my behalf.

Kind regards,

Rich Marsh

Richard Marsh
remarsh3@gmail.com

Sent from my iPhone

On Mar 17, 2016, at 3:44 PM, Tem Miles <tmiles@mckayfirm.com> wrote:

Rich,

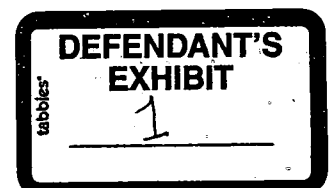
It was very nice to speak with you today. As we discussed, attached please find a copy of a Motion for your withdrawal as counsel in this matter. Thank you for agreeing to allow me to sign on your behalf. Please review the motion and respond to confirm my authority to sign on your behalf. I intend to submit our email exchange as an Exhibit to confirm my authority.

Thank you,

Tem

Temus C. Miles, Jr., Esquire
McKay, Cauthen, Settana & Stublely, P.A.
1303 Blanding Street
Post Office Drawer 7217
Columbia, South Carolina 29202
Telephone: 803-256-4645
Facsimile: 803-765-1839

<Motion to withdraw as counsel.doc>



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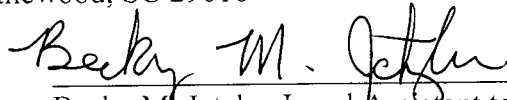
v.

THE STATE OF SOUTH CAROLINA.....Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 17, 2016, a copy of the foregoing **RESPONDENT'S MOTION FOR WITHDRAWAL OF COUNSEL** was duly served on opposing counsel by depositing same in the United States Mail, certified/return receipt requested, first-class, postage prepaid, addressed as follows:

Orlando Brown
440 Rimer Pond Road
Blythewood, SC 29016



Becky M. Jetzke, Legal Assistant to:
Daniel R. Settana, Jr.
Temus C. Miles, Jr.
McKay, Cauthen, Settana & Stublely, PA
P.O. Drawer 7217
Columbia, SC 29202
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Attorneys for Respondent

Julius W. McKay, II
Mark D. Cauthen
Daniel R. Settana, Jr.
M. Stephen Stublely
Janet Brooks Holmes
Peter P. Leventis, IV*
Kelli L. Sullivan*
George D. Gallagher*
Temus C. Miles, Jr.
David M. Bornemann
Brandon P. Jones
James E. L. Fickling+
Charles A. Kinney, Jr.+
Erica E. Loudin

Of Counsel:
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*S.C. Certified Mediator
+ Also licensed in N.C.

March 17, 2016

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Seant Street
Columbia, SC 29201

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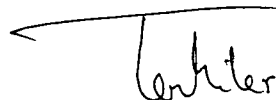
RE: Orlando I. Brown v. State of South Carolina
Appellate Case No. 2015-002367
Our File No.: 9-463

Dear Ms. Kitchings:

Enclosed herewith please find the original and seven (7) of Respondent's Motion for Withdrawal of Counsel. I request that you return a stamped and filed copy with my courier.

Thank you for your assistance in this matter. Should you have any questions or concerns regarding this matter, please contact me at my direct dial: (803) 705-2149.

Sincerely,



Temus C. Miles, Jr.

TCM/bmj
Enclosures

cc: Orlando Brown (via certified mail, return receipt requested)